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: PROMESA
: Title III
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: Case No. 17-BK-3283 (LTS)
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: (Jointly Administered)
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: PROMESA
: Title III
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: Case No. 17-BK-4780 (LTS)
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: **This filing relates only to**
: **Case No. 17-BK-4780 (LTS)**
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The Debtors in these Title III cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474), and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747).

To the Honorable United States District Judge Laura Taylor Swain:

The Official Committee of Unsecured Creditors of All Title III Debtors (other than COFINA) (the “Committee”) hereby files this urgent motion (the “Urgent Motion”), requesting entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), for expedited consideration of the *Urgent Motion of Official Committee of Unsecured Creditors for Order, Pursuant to Bankruptcy Code Section 926(a), Authorizing Committee to Pursue Certain Avoidance Actions on Behalf of Puerto Rico Electric Power Authority* (the “Section 926 Motion”). **The Oversight Board consents to having this Urgent Motion heard on an expedited basis, subject to the proposed deadlines reflected in the Proposed Order.** In support of this Urgent Motion, the Committee respectfully states as follows:

JURISDICTION AND VENUE

1. The United States District Court for the District of Puerto Rico has subject matter jurisdiction over this matter pursuant to section 306(a) of PROMESA.¹
2. Venue is proper pursuant to section 307(a) of PROMESA.
3. The statutory bases for the relief requested herein are section 105(a) of the Bankruptcy Code and Bankruptcy Rule 9006, made applicable to these Title III cases by sections 301(a) and 310 of PROMESA, Rule 9013-1 of the Local Bankruptcy Rules for the United States Bankruptcy Court for the District of Puerto Rico (the “Local Rules”), and the *Ninth Amended Notice, Case Management and Administrative Procedures* [Docket No. 7115-1] (the “Case Management Procedures”).

¹ References to PROMESA are references to 48 U.S.C. §§ 2101 *et. seq.*

RELIEF REQUESTED

4. By this Urgent Motion, the Committee respectfully requests entry of the Proposed Order (a) scheduling oral argument on the Section 926 Motion at the hearing scheduled for **June 28, 2019, at 10:00 a.m. (Atlantic Standard Time)** in New York, (b) setting **June 21, 2019** as the deadline to file objections or responses to the Section 926 Motion, and (c) setting **4:00 p.m. noon (Atlantic Standard Time) on June 25, 2019** as the Committee's deadline to file its reply in further support of the Section 926 Motion.

BASIS FOR RELIEF REQUESTED

5. Bankruptcy Rule 9006(c)(1) provides that "the court for cause shown may in its discretion with or without motion or notice order the period [for notice] reduced." Further, Local Rule 9013-1(a) allows a party to request that a court "consider a motion on an expedited basis." Cause exists to schedule the Section 926 Motion on an expedited basis.

6. As explained further in the Section 926 Motion, expedited consideration of the Section 926 Motion is critical given the imminent expiration of statutes of limitations for PREPA-related causes of action on July 1, 2019. Further, expedited consideration of the Section 926 Motion is consistent with the expedited consideration granted by the Court in connection with the stipulations for the joint prosecution of Commonwealth, HTA, and ERS causes of action in order to allow for the prosecution of causes of action prior to the expiration of the applicable statutes of limitations.² **Finally, the Oversight Board consents to having the 926 Motion**

² See *Order Granting Urgent Joint Motion for Expedited Consideration* (Docket Entry No. 6868) [Case No. 17-32083-LTS, Docket No. 6880] (granting expedited consideration of stipulation for joint prosecution of HTA and ERS causes of action); *Order (A) Expediting Consideration of Urgent Joint Motion for Entry of Order Approving Stipulation and Agreed Order By and Among Financial Oversight and Management Board, Its Special Claims Committee, and Official Committee of Unsecured Creditors Related to Joint Prosecution of Debtor Causes of Action, (B) Pending Approval of Stipulation, Further Extension of Briefing Schedule with Respect to Potential Omnibus Motion of Official Committee of Unsecured Creditors to Be Appointed to Pursue Commonwealth Causes of Action, and (C) Approval of Briefing Schedule with Respect to Limited Motion of Official Committee of Unsecured Creditors to Be Appointed to Pursue Certain Commonwealth Claims* [Case

heard on expedited basis, including the Committee's proposed briefing schedule and hearing date. Under the circumstances, the Committee submits that expedited consideration of the Section 926 Motion is appropriate.

7. Pursuant to Paragraph I.H of the Case Management Procedures, the Committee hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter without a hearing; and has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court.

NOTICE

8. Notice of this Urgent Motion has been provided to the following entities, or their counsel, if known: (i) the U.S. Trustee; (ii) the Office of the United State Attorney for the District of Puerto Rico; (iii) AAFAF; (iv) the official committee of retirees; (v) the insurers of the bonds issued or guaranteed by the Debtors; (vi) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors; and (vii) all parties that have filed a notice of appearance in the above-captioned Title III cases.

NO PRIOR REQUEST

9. No previous request for the relief requested herein has been made to this or any other court.

[Remainder of page intentionally left blank.]

WHEREFORE, the Committee respectfully requests the Court to enter the order attached hereto as **Exhibit A**, and grant the Committee such other relief as is just and proper.

Dated: June 17, 2019

By: /s/ Luc A. Despins

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By: /s/ Juan J. Casillas Ayala

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